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| 09/920,073 | 08/01/2001 | Peter E. Virag | 1115-01 | 4416 |

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IP GROUP OF DLA PIPER RUDNICK GRAY CARY US LLP
1650 MARKET ST
SUITE 4900
PHILADELPHIA, PA 19103

EXAMINER

DODDS, HAROLD E

ART UNIT PAPER NUMBER

2167

DATE MAILED: 03/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|---|-------------------------------------|--|
| Office Action Summary | Application No. 09/920,073 | Applicant(s) VIRAG ET AL. | |
| | Examiner Harold E. Dodds, Jr. | Art Unit 2167 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 September 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings were received on 16 September 2004. These drawings are accepted.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1, 4-7, 9, 10, 12, 24, 26-30, 32, 33, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wenig et al. (U.S. Patent No. 6,286,298) and Sellers et al. (U.S. Patent No. 5,311,438).

4. Wenig renders obvious independent claims 1 and 24 by the following:

"...receiving environmental audit information..." at col. 7, lines 65-67, col. 6, lines 24-28, and col. 1, lines 56-58.

"...accessing a predetermined set of environmental audit protocols..." at col. 3, lines 43-52, col. 1, lines 56-58, and col. 8, lines 25-32.

"...associating said audit information with at least one of said environmental audit protocols..." at col. 6, lines 24-28, col. 1, lines 56-58, and col. 8, lines 25-32.

Wenig does not teach the use of environmental audit records.

5. However Sellers teaches the use of environmental audit records as follows:

"...to form an environmental audit record..." at col. 153, lines 33-35 and col. 174, lines 23-36.

"...and storing said environmental audit record..." at col. 153, lines 33-35 and col. 174, lines 36-39.

It would have been obvious to one of ordinary skill at the time of the invention to combine Sellers with Wenig to provide an audit record in order maintain a list on the individual audit actions to determine the environmental state of a manufacturing process and to determine the changes of the environmental state over a period of time. Wenig and Sellers have similar applications and use many technologies in common. Wenig and Sellers teach the use of computers, the use of databases, the use of the audits, the use of environmental information, and the access to information. Wenig provides receiving environmental audit information and using protocols and Sellers provides the environmental audit record.

6. As per claim 26, the "...enabling said quality assurance reviewer...", is taught by Sellers at col. 16, lines 66-68 and col. 153, lines 36-37, the "...to designate the review status...", is taught by Sellers at col. 85, lines 53-54, and the "...of said environmental audit record...", is taught by Sellers at col. 153, lines 33-37 and col. 174, lines 36-39.

For claim 26, Sellers teaches the review of status information. This teaching suggests the use of a review status.

7. As per claims 4 and 27, the "...providing notification of said environmental audit record...", is taught by Sellers at col. 27, lines 56-59, col. 153, lines 33-35, and col. 174, lines 36-39.

8. As per claims 5 and 28, the "...associating one or more of said environmental audit records to form an audit log...", is taught by Sellers at col. 153, lines 33-35 and col. 174, lines 23-26.

9. As per claims 6 and 29, the "...a plurality of environmental audit records are stored for a plurality of different facilities...", is taught by Sellers at col. 153, lines 33-35, col. 174, lines 36-39, and col. 35, lines 31-35.

For claims 6 and 29, buildings are being used to represent facilities.

10. As per claims 7 and 30, the "...a plurality of environmental audit records are stored for a plurality of contacts...", is taught by Sellers at col. 153, lines 33-35, col. 174, lines 36-39, and col. 13, lines 32-35.

11. As per claims 9 and 32, the "...said environmental audit record...", is taught by Sellers at col. 153, lines 33-35,

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the "...includes one or more types of information...", is taught by Sellers at col. 134, lines 24-25,

the "...selected from the group consisting of a facility...", is taught by Sellers at col. 97, lines 34-35 and col. 35, lines 31-35,

the "...a contact...", is taught by Sellers at col. 13, lines 32-35,

the "...an author...", is taught by Sellers at col. 27, lines 21-23,

the "...an audit team...", is taught by Sellers at col. 174, lines 36-39 and col. 16, lines 24-28,

the "...record dates...", is taught by Sellers at col. 174, lines 36-39 and col. 62, lines 8-11,

the "...who created the audit record...", is taught by Sellers at col. 27, lines 21-23 and col. 174, lines 36-39,

the "...who last edited the audit record...", is taught by Sellers at col. 70, lines 5-6 and col. 174, lines 36-39,

and the "...and comments...", is taught by Sellers at col. 70, lines 57-60.

For claims 9 and 32, an author is the person who created the audit record.

12. As per claims 10 and 33, the "...providing for the retrieval of said environmental audit records...", is taught by Sellers at col. 11, lines 43-45 and col. 153, lines 33-35,

the "...indexed by one or more selected from the group consisting of a facility...", is taught by Sellers at col. 11, lines 64-66, col. 97, lines 34-35, and col. 35, lines 31-35,

the "...a contact...", is taught by Sellers at col. 13, lines 32-35,

the "...an author...", is taught by Sellers at col. 27, lines 21-23,
the "...an audit team...", is taught by Sellers at col. 174, lines 36-39 and col. 16, lines 24-28,
the "...record dates...", is taught by Sellers at col. 174, lines 36-39 and col. 62, lines 8-11,
the "...who created the audit record...", is taught by Sellers at col. 27, lines 21-23 and col. 174, lines 36-39,
the "...who last edited the audit record...", is taught by Sellers at col. 70, lines 5-6 and col. 174, lines 36-39,
and the "...and comments...", is taught by Sellers at col. 70, lines 57-60.

For claims 10 and 33, an author is the person who created the audit record.

13. As per claims 12 and 35, the "...said set of environmental audit protocols...", is taught by Wenig at col. 8, lines 25-32 and col. 1, lines 56-58 and the "...comprise safety regulations maintained by OSHA...", is taught by Sellers at col. 8, lines 67-68, col. 9, lines 1-9, and col. 56, lines 50-52,

14. Claims 2, 3, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wenig and Sellers as applied to the claims above, and further in view of Reuhl (U.S. Patent No. 5,873,069).

As per claims 2 and 25, the "...to said environmental audit record...", is taught by Sellers at col. 153, lines 33-35 and col. 174, lines 36-39,

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the "...so that a quality assurance reviewer can access said environmental audit record and can add comments..." is taught by Sellers at col. 173, lines 56-59, col. 153, lines 31-35, and col. 153, lines 42-47,

the "...to said environmental audit record..." is taught by Sellers at col. 153, lines 33-35 and col. 174, lines 36-39,

the "...said environmental audit record..." is taught by Sellers at col. 153, lines 33-35 and col. 174, lines 36-39,

but the "...restricting access..."

and the "...but cannot otherwise modify..." are not taught by either Wenig or Sellers.

However, Reuhl teaches the restricting of access to information as follows:

"...This unique data structure composed of relational tables allows the system to operate very efficiently while at the same time allowing for the implementation of security measures which restrict access of certain system users to particular data and tables..." at col. 8, lines 7-11.

"...The CPTPRC screen 412 is query only; no price or other changes can be made..." at col. 14, lines 22-24.

It would have been obvious to one of ordinary skill at the time of the invention to combine Reuhl with Wenig and Sellers to restrict access to an audit record in order maintain the integrity of the audit record. Wenig, Sellers, and Reuhl have similar applications and use many technologies in common. Wenig, Sellers, and Reuhl teach the use of computers, the use of databases, the use of environmental information, and the access to information and Wenig and Reuhl teach the use of networks. Wenig provides receiving environmental audit information and using protocols, Sellers provides

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the environmental audit record, and Reuhl provides limiting the access to the information.

15. As per claim 3, the "...enabling said quality assurance reviewer...", is taught by Sellers at col. 16, lines 66-68 and col. 153, lines 36-37, the "...to designate the review status...", is taught by Sellers at col. 85, lines 53-54, and the "...of said environmental audit record...", is taught by Sellers at col. 153, lines 33-37 and col. 174, lines 36-39.

For claim 3, Sellers teaches the review of status information. This teaching suggests the use of a review status.

16. Claims 8, 11, 31, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wenig and Sellers as applied to the claims above, and further in view of Barry et al. (U.S. Patent No. 6,615,258).

As per claims 8 and 31, the "...providing access to said environmental audit records...", is taught by Sellers at col. 153, lines 33-37 and col. 174, lines 23-36, but the "...via a hierarchical, expandable list...", is not taught by either Wenig or Sellers.

However, Barry teaches the use of a hierarchical, expandable list as follows:

"...The OE server 39 further maintains a database 160 for storing all the users registered with the system of the present invention, and their security information such as passwords and application entitlements and hierarchies describing the user's access privileges to specific application services/sub-services which may be requested by other application servers and clients in the network."

"...The menu options 1506 include: file menu options which includes a select enterprise option for allowing administrators to open a user list for a different enterprise, or add a new enterprise to their enterprise list, print option, and exit

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option which shuts down the OE application; edit menu option which includes add new application, modify, and delete options; options menu which enables a global security setup for various data management applications; view menu which includes options to refresh the screen by retrieving the latest user list for the opened enterprise from the OE server and displaying the list on the screen, to expand all nodes in the user list, and to collapse all nodes in the user list; and help menu option which launches the help engine with OE help text..." at col. 16, lines 45-58.

It would have been obvious to one of ordinary skill at the time of the invention to combine Barry with Wenig and Sellers to provide an hierarchial, expandable list of users in order provide different users and different sets of users specified privileges to specific sets of environmental records and subsets of environmental records. Wenig, Sellers, and Barry have similar applications and use many technologies in common. Wenig, Sellers, and Barry teach the use of computers, the use of databases, the use of environmental information, the access to information, and the use of audit information and Wenig and Barry teach the use of networks, the use of protocols, the use of servers, and the use of clients. Wenig provides receiving environmental audit information and using protocols, Sellers provides the environmental audit record, and Barry provides hierarchical, expandable lists and interviews.

17. As per claims 11 and 34, the "...providing administrator access to said environmental audit records..." is taught by Sellers at col. 8, lines 63-64, col. 153, lines 33-37 and col. 174, lines 23-36, the "...to interview..." is taught by Barry at col. 40, lines 51-53, the "...review..." is taught by Sellers at col. 14, lines 56-57, the "...update..." is taught by Sellers at col. 18, lines 40-42,

and the "...and modify said environmental audit record..." is taught by Sellers at col. 17, lines 57-58, col. 153, lines 33-37 and col. 174, lines 23-36.

18. Claims 13-18, 20, 21, 23, 36-41, 43, 44, and 46-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wenig et al. (U.S. Patent No. 6,286,298), Sellers et al (U.S. Patent No. 5,311,438), and Reuhl (U.S. Patent No. 5,873,069).

19. Wenig renders obvious independent claims 13 and 36 by the following:
"...receiving environmental audit information..." at col. 7, lines 65-67, col. 6, lines 24-28, and col. 1, lines 56-58.

"...accessing a predetermined set of environmental audit protocols..." at col. 3, lines 43-52, col. 1, lines 56-58, and col. 8, lines 25-32.

"...associating said audit information with at least one of said environmental audit protocols..." at col. 6, lines 24-28, col. 1, lines 56-58, and col. 8, lines 25-32.

Wenig does not teach the use of environmental audit records and restricting access to information.

20. However Sellers teaches the use of environmental audit records as follows:

"...to form an environmental audit record..." at col. 153, lines 33-35 and col. 174, lines 23-36.

"...and storing said environmental audit record..." at col. 153, lines 33-35 and col. 174, lines 36-39.

"...to said environmental audit record..." at col. 153, lines 33-35 and col. 174, lines 36-39.

"...so that a quality assurance reviewer can access said environmental audit record and can add comments..." at col. 173, lines 56-59, col. 153, lines 31-35, and col. 153, lines 42-47.

"...to said environmental audit record..." at col. 153, lines 33-35 and col. 174, lines 36-39.

"...said environmental audit record..." at col. 153, lines 33-35 and col. 174, lines 36-39,

It would have been obvious to one of ordinary skill at the time of the invention to combine Sellers with Wenig to provide an audit record in order maintain a list on the individual audit actions to determine the environmental state of a manufacturing process and to determine the changes of the environmental state over a period of time. Wenig and Sellers have similar applications and use many technologies in common. Wenig and Sellers teach the use of computers, the use of databases, the use of the audits, the use of environmental information, and the access to information. Wenig provides receiving environmental audit information and using protocols and Sellers provides the environmental audit record.

Sellers does not teach the restricting access to information.

21. However, Reuhl teaches the restricting of access to information as follows:
"...restricting access..." at col. 8, lines 7-11.

"...but cannot otherwise modify..." at col. 14, lines 22-24.

It would have been obvious to one of ordinary skill at the time of the invention to combine Reuhl with Wenig and Sellers to restrict access to an audit record in order maintain the integrity of the audit record. Wenig, Sellers, and Reuhl have similar

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applications and use many technologies in common. Wenig, Sellers, and Reuhl teach the use of computers, the use of databases, the use of environmental information, and the access to information and Wenig and Reuhl teach the use of networks. Wenig provides receiving environmental audit information and using protocols, Sellers provides the environmental audit record, and Reuhl provides limiting the access to the information.

22. As per independent claim 47, the "...receiving environmental audit information..." is taught by Wenig at col. 7, lines 65-67, col. 6, lines 24-28, and col. 1, lines 56-58,
the "...accessing a predetermined set of environmental audit protocols..." is taught by Wenig at col. 3, lines 43-52, col. 1, lines 56-58, and col. 8, lines 25-32,
the "...associating said audit information with at least one of said environmental audit protocols..." is taught by Wenig at col. 6, lines 24-28, col. 1, lines 56-58, and col. 8, lines 25-32,
the "...to form an environmental audit record..." is taught by Sellers at col. 153, lines 33-35 and col. 174, lines 23-36,
the "...storing said environmental audit record..." is taught by Sellers at col. 153, lines 33-35 and col. 174, lines 36-39,
the "...and restricting access..." is taught by Reuhl at col. 8, lines 7-11,
the "...to said environmental audit record..." is taught by Sellers at col. 153, lines 33-35 and col. 174, lines 23-36,

the "...so that a quality assurance reviewer can access said environmental audit record...", is taught by Sellers at col. 173, lines 56-59; and col. 153, lines 31-35, the "...but cannot otherwise modify...", is taught by Reuhl at col. 14, lines 22-24, and the "...said environmental audit record...", is taught by Sellers at col. 153, lines 33-35 and col. 174, lines 23-36.

23. As per independent claim 50, the "...user interface...", is taught by Sellers at col. 11, lines 54-56, the "...for receiving environmental audit information...", is taught by Wenig at col. 7, lines 65-67, col. 6, lines 24-28, and col. 1, lines 56-58, the "...a data source interface programmed to access a predetermined set of environmental audit protocols...", is taught by Wenig at col. 3, lines 37-39, col. 3, lines 43-52, col. 1, lines 56-58, and col. 8, lines 25-32, the "...and to associate said audit information with at least one of said environmental audit protocols...", is taught by Wenig at col. 6, lines 24-28, col. 1, lines 56-58, and col. 8, lines 25-32, the "...to form an environmental audit record...", is taught by Sellers at col. 153, lines 33-35 and col. 174, lines 23-36, the "...and a data source in communication with said data source interface...", is taught by Wenig at col. 4, lines 55-57 and col. 3, lines 37-39, the "...for storing said environmental audit record...", is taught by Sellers at col. 153, lines 33-35 and col. 174, lines 36-39, the "...wherein said data source interface...", is taught by Wenig at col. 3, lines 37-39,

the "...is programmed to restrict access...", is taught by Reuhl at col. 8, lines 7-11,
the "...to said environmental audit record...", is taught by Sellers at col. 153, lines 33-35
and col. 174, lines 36-39,
the "...so that a quality assurance reviewer can access said environmental audit
record...", is taught by Sellers at col. 173, lines 56-59, and col. 153, lines 31-35,
the "...but cannot otherwise modify...", is taught by Reuhl at col. 14, lines 22-24,
and the "...aid environmental audit record...", is taught by Sellers at col. 153, lines 33-
35 and col. 174, lines 36-39.

24. As per claims 14 and 37, the "...enabling said quality assurance
reviewer...", is taught by Sellers at col. 16, lines 66-68 and col. 153, lines 36-37,
the "...to designate the review status...", is taught by Sellers at col. 85, lines 53-54,
and the "...of said environmental audit record...", is taught by Sellers at col. 153, lines
33-37 and col. 174, lines 36-39.

For claims 14 and 37, Sellers teaches the review of status information. This
teaching suggests the use of a review status.

25. As per claims 15 and 38, the "...providing notification of said
environmental audit record...", is taught by Sellers at col. 27, lines 56-59, col. 153, lines
33-35, and col. 174, lines 36-39.

26. As per claims 16 and 39, the "...associating one or more of said
environmental audit records to form an audit log...", is taught by Sellers at col. 153, lines
33-35 and col. 174, lines 23-26.

27. As per claims 17 and 40, the "...a plurality of environmental audit records are stored for a plurality of different facilities...", is taught by Sellers at col. 153, lines 33-35, col. 174, lines 36-39, and col. 35, lines 31-35.

For claims 17 and 40, buildings are being used to represent facilities.

28. As per claims 18 and 41, the "...a plurality of environmental audit records are stored for a plurality of contacts...", is taught by Sellers at col. 153, lines 33-35, col. 174, lines 36-39, and col. 13, lines 32-35.

29. As per claims 20 and 43, the "...said environmental audit record...", is taught by Sellers at col. 153, lines 33-35,
the "...includes one or more types of information...", is taught by Sellers at col. 134, lines 24-25,
the "...selected from the group consisting of a facility...", is taught by Sellers at col. 97, lines 34-35 and col. 35, lines 31-35,
the "...a contact...", is taught by Sellers at col. 13, lines 32-35,
the "...an author...", is taught by Sellers at col. 27, lines 21-23,
the "...an audit team...", is taught by Sellers at col. 174, lines 36-39 and col. 16, lines 24-28,
the "...record dates...", is taught by Sellers at col. 174, lines 36-39 and col. 62, lines 8-11,
the "...who created the audit record...", is taught by Sellers at col. 27, lines 21-23 and col. 174, lines 36-39,

the "...who last edited the audit record...", is taught by Sellers at col. 70, lines 5-6 and col. 174, lines 36-39,
and the "...and comments...", is taught by Sellers at col. 70, lines 57-60.

For claims 20 and 43, an author is the person who created the audit record.

30. As per claims 21 and 44, the "...providing for the retrieval of said environmental audit records...", is taught by Sellers at col. 11, lines 43-45 and col. 153, lines 33-35,
the "...indexed by one or more selected from the group consisting of a facility...", is taught by Sellers at col. 11, lines 64-66, col. 97, lines 34-35, and col. 35, lines 31-35,
the "...a contact...", is taught by Sellers at col. 13, lines 32-35,
the "...an author...", is taught by Sellers at col. 27, lines 21-23,
the "...an audit team...", is taught by Sellers at col. 174, lines 36-39 and col. 16, lines 24-28,
the "...record dates...", is taught by Sellers at col. 174, lines 36-39 and col. 62, lines 8-11,
the "...who created the audit record...", is taught by Sellers at col. 27, lines 21-23 and col. 174, lines 36-39,
the "...who last edited the audit record...", is taught by Sellers at col. 70, lines 5-6 and col. 174, lines 36-39,
and the "...and comments...", is taught by Sellers at col. 70, lines 57-60.

For claims 21 and 44, an author is the person who created the audit record.

31. As per claims 23 and 46, the "...said set of environmental audit protocols...", is taught by Wenig at col. 8, lines 25-32 and col. 1, lines 56-58 and the "...comprise safety regulations maintained by OSHA...", is taught by Sellers at col. 8, lines 67-68, col. 9, lines 1-9, and col. 56, lines 50-52.

32. As per claims 48 and 51, the "...plurality of audit records are stored...", is taught by Sellers at col. 153, lines 33-35, col. 174, lines 36-39.

33. As per claims 49 and 52, the "...quality assurance reviewer...", is taught by Sellers at col. 16, lines 66-68 and col. 153, lines the "...can access and modify at least one of said environmental audit records...", is taught by Sellers at col. 173, lines 56-59, col. 153, lines 42-47, and col. 153, lines 31-35, the "...but cannot access or modify others...", is taught by Reuhl at col. 8, lines 7-11 and col. 14, lines 22-24, and the "...of said environmental audit records...", is taught by Sellers at col. 153, lines 33-37 and col. 174, lines 36-39.

34. Claims 19, 22, 42, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wenig, Sellers, and Reuhl as applied to the claims above, and further in view of Barry et al. (U.S. Patent No. 6,615,258).

As per claims 19 and 42, the "...providing access to said environmental audit records...", is taught by Sellers at col. 153, lines 33-37 and col. 174, lines 23-36, but the "...via a hierarchical, expandable list...", is not taught by either Wenig, Sellers, or Reuhl.

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However, Barry teaches the use of a hierarchical, expandable list as follows:

"...The OE server 39 further maintains a database 160 for storing all the users registered with the system of the present invention, and their security information such as passwords and application entitlements and hierarchies describing the user's access privileges to specific application services/sub-services which may be requested by other application servers and clients in the network."

"...The menu options 1506 include: file menu options which includes a select enterprise option for allowing administrators to open a user list for a different enterprise, or add a new enterprise to their enterprise list, print option, and exit option which shuts down the OE application; edit menu option which includes add new application, modify, and delete options; options menu which enables a global security setup for various data management applications; view menu which includes options to refresh the screen by retrieving the latest user list for the opened enterprise from the OE server and displaying the list on the screen, to expand all nodes in the user list, and to collapse all nodes in the user list; and help menu option which launches the help engine with OE help text..." at col. 16, lines 45-58.

It would have been obvious to one of ordinary skill at the time of the invention to combine Barry with Wenig, Sellers, and Reuhl to provide an hierarchical, expandable list of users in order provide different users and different sets of users specified privileges to specific sets of environmental records and subsets of environmental records. Wenig, Sellers, Reuhl, and Barry have similar applications and use many technologies in common. Wenig, Sellers, Reuhl, and Barry teach the use of computers, the use of databases, the use of environmental information, and the access to information, Wenig, Sellers, and Barry teach the use of audit information, and Wenig, Reuhl, and Barry teach the use of networks. Wenig provides receiving environmental audit information

and using protocols, Sellers provides the environmental audit record, and Barry provides hierarchical, expandable lists and interviews.

35. As per claims 22 and 45, the "...providing administrator access to said environmental audit records..." is taught by Sellers at col. 8, lines 63-64, col. 153, lines 33-37 and col. 174, lines 23-36, the "...to interview..." is taught by Barry at col. 40, lines 51-53, the "...review..." is taught by Sellers at col. 14, lines 56-57, the "...update..." is taught by Sellers at col. 18, lines 40-42, and the "...and modify said environmental audit record..." is taught by Sellers at col. 17, lines 57-58, col. 153, lines 33-37 and col. 174, lines 23-36.

Response to Arguments

36. Applicants' arguments filed 16 September 2004 have been fully considered but they are not persuasive. In the first argument, for independent claims 1 and 24 on page 12, paragraph 5 and page 13, paragraph 1 the Applicants state:

"In fact, the stated purpose of Wenig, namely, the analysis of a particular user session as it occurred for the purposes of determining user Web browsing traffic patterns, requires replicating a particular user session rather than generating a summary report thereof. A summary report with abridged data would be of limited use for determining Web browsing traffic patterns. Therefore, Wenig is completely at odds with the creation of a summary report based on a user session and in fact, does not disclose, teach or suggest providing a summary report. It would not be obvious to one of ordinary skill in the art to combine Wenig and Sellers as the Office Action suggests, because there is no such disclosure or suggestion to do so in either of Wenig or Sellers."

The Examiner disagrees. In neither independent claim 1 nor independent claim 24 do the Applicants claim the limitation of a "summary report". For this reason, it is immaterial whether or not either Wenig or Sellers teach the use of a summary report.

37. In the second argument, for independent claims 1 and 24 on page 13, paragraph 3 the Applicants state:

"Wenig does not teach or suggest making a record of the captured environmental data for separate use from a corresponding request/response session (e.g., by an administrator). Rather, Wenig discloses only the internal use of environmental data by, presumably, an automated process for recreating a request/response session. The captured environmental data is sent to "analysis tools (such as analyze [sic] module 620)..." Col. 8, lines 18-19. The resulting display version of the environmental data is thus an abridged, perhaps manipulated, version of the originally captured environmental data that is only displayed in conjunction with a corresponding request/response session. Further, this abridged environmental data is the only version of the environmental data that is disclosed as being displayed."

The Examiner disagrees. The combination of information from Wenig and Sellers teaches the making a record of the captured environmental data. Sellers teaches the use of audit logs as follows:

"...The Inbound Transaction Maintenance conversation (TO10) may be used to monitor and maintain audit trail records that were created by inbound transactions to the PROCESS/1 system..." at col. 174, lines 23-36.

Both Wenig and Sellers teach the use of environmental information.

38. In the third argument, for independent claims 1 and 24 on page 14, paragraph 1 the Applicants state:

"The disclosure of environmental data captured solely for the purpose of internal analysis by an analyzer module teaches away from generating a summary report of the captured environmental data for presentation to a user. As such, generation of an environmental data record as allegedly disclosed in Sellers is not suggested by Wenig. Therefore, it would not be obvious to one skilled in the art to combine Wenig and Sellers as the Office Action suggests. The Applicants respectfully request withdrawal of the rejection of Claims 1, 4-7, 9, 10, 12, 24, 26-30, 32, 33 and 35."

The Examiner disagrees. Wenig teaches the storing of environmental audit data as follows:

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"...The second set of tables in analyzer database 630 are referred to as session viewer/analysis tables. Session viewer/analysis tables are designed and optimized for visually recreating user session 130 and for doing session-specific analysis. Session viewer/analysis tables include all of the hit information as well as information about the creation of available sessions and information extracted from the session identification..." at col. 8, lines 47-54.

Wenig stores the environmental audit data in tables in the analyzer database. This suggests the storage of environmental data in audit log records as an alternate means of storing the audit data, which is taught by Sellers. Since claims 4-7, 9, 10, and 12 depend on independent claim 1 and claims 26-30, 32, 33, and 35 depend on independent claim 24, and no additional arguments have been provided for these claims then claims 4-7, 9, 10, 12, 26-30, 32, 33, and 35 are also rendered obvious by the response to this argument.

39. In the fourth argument, for claims 2, 3, 13-18, 20, 21, 23, 25, 36-41, 43, 44, and 46 on page 14, paragraph 1 the Applicants state:

"As stated above, it would not be obvious to one skilled in the art to combine Wenig and Sellers. Further, Reuhl's addition of restricting access to information further teaches away from the invention disclosed in Wenig. The objective of Wenig, as stated above, is to capture and recreate a request/response session to determine user Web browsing traffic patterns. However, if access to selected request/response sessions is restricted, an accurate determination of Web browsing traffic patterns will be difficult to achieve. Thus, in sharp contrast to Reuhl, Wenig requires unrestricted access to request/response session information. Therefore, it would not be obvious to one skilled in the art to further combine Reuhl with Wenig and Sellers. Withdrawal of the rejection of Claims 2, 3, 13-18, 20, 21, 23, 29, 36-41, 43, 44 and 46 is respectfully requested."

The Examiner disagrees. The reasons to combine the Wenig and Sellers references are provided in the responses to the first three arguments. Sellers teaches the use of a login procedure and authorization of qualified persons to perform certain functions as follows:

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"...User information includes the user ID, system user name, password, user class, and language.

Ownership codes identify the inventory authorized for a user without taking the physical location into account. Subfacility codes, which represent physical locations, identify the areas within the facility where a user is authorized to make inventory transactions..." at col. 12, lines 46-52.

It is clear that the Sellers system that provides the environmental audit trail also restricts which users may perform certain functions on the system. A logical extension of this teaching by Sellers would be authorizing a quality assurance reviewer to modify only specified fields in an audit record. This response applies equally to claims 2 and 3, which depend on independent claim 1, claim 25, which depends on independent claim 24, independent claims 13 and 36, and those dependent claims, which depend on either claim 13 or 36.

40. In the fifth argument, for claims 8, 11, 31, and 34 on page 15, paragraph 3 the Applicants state:

"As stated above, it would not be obvious to one skilled in the art to combine Wenig and Sellers. Further, Barry's addition of a hierarchical, expandable list teaches away from the invention in Wenig. Wenig only discloses using environmental information internally to recreate a request/response session. In some cases, Wenig discloses displaying an abridged version of environmental information in association with a corresponding request/response session. There is no suggestion in Wenig of cross-referencing the environmental information for a particular request/response session with other information or of utilizing environmental information independently from the redisplaying of a corresponding request/response session. In fact, Wenig does not disclose, teach or suggest any uses for a hierarchical, expandable list in relation to environmental data. Therefore, it would not be obvious to one skilled in the art to further combine Barry with Wenig and Sellers. Withdrawal of the rejection based on Wenig, Sellers and Barry is respectfully requested."

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The Examiner disagrees. The reasons to combine the Wenig and Sellers references are provided in the responses to the first three arguments. Sellers teaches the use of a hierarchical list, which may be expanded as follows:

"...The Job Type Maintenance conversation (EN20) may be used to review and maintain names and descriptions for each type of job that an employee may perform. Also use this conversation to create and maintain a list of training courses that are recommended for an employee based on the employee's job.

For each job, a user may enter a list of recommended training courses and, if the employee should take a course on a periodic basis, specify how often the employee should take the course..." at col. 17, lines 5-14.

The Job Type Maintenance List is a hierarchical list. A list of the employees forms the first level on the hierarchy and a list of training courses recommended for the employee form an additional level of the hierarchy. Either list may be expanded. For this reason, claims 8, 11, 31, and 34 are all rendered obvious.

41. In the sixth argument, for claims 19, 22, 42, and 45 on page 15, paragraph 4 the Applicants state:

"Claims 19, 22, 42 and 45 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wenig, Sellers, Reuhl and Barry. For the combination of the reasons set forth above in relation to the combination of Wenig and Sellers with Reuhl and the combination of Wenig and Sellers with Barry, the Applicants respectfully submit that Claims 19, 22, 42 and 45 are patentable. Withdrawal of the rejection is respectfully requested."

The Examiner disagrees. The reasons to combine the Wenig and Sellers references are provided in the responses to the first three arguments, the reason to combine Reuhl with Wenig and Sellers is provided in the response to the fourth argument, and the reason to combine Barry with Wenig and Sellers is provided in the response to the fifth

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argument. Since there are no additional arguments provided then claims 19, 22, 42, and 45 are still rendered obvious.

Conclusion

42. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

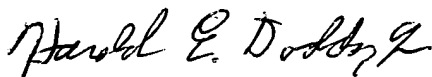
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

43. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harold E. Dodds, Jr. whose telephone number is (571)-272-4110. The examiner can normally be reached on Monday - Friday 8:00 - 4:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (571)-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Harold E. Dodds, Jr.
Patent Examiner
March 25, 2005



CYETA ROBINSON
PATENT EXAMINER